

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BEAU DARRELL HEIMER,

Plaintiff,

Case No. 14-cv-14473
Hon. Victoria A. Roberts

v.

COMPANION LIFE INSURANCE COMPANY,

Defendant.

ORDER TRANSFERRING VENUE

Beau Darrell Heimer sues Companion Life Insurance Company under ERISA to enforce an insurance policy.

Venue in a federal question case lies in the district in which any defendant resides or in which a substantial part of the events or omissions giving rise to the claim occurred. 28 U.S.C. § 1391(b). A district court may transfer a case *sua sponte* pursuant to 28 U.S.C. § 1404(a). *Carver v. Knox County*, 887 F.2d 1287, 1291 (6th Cir.1989). Section 1404(a) permits a change of venue to any other district where it might have been brought for the convenience of parties and witnesses as well as in the interest of justice. 28 U.S.C. § 1404(a). A court considering *sua sponte* transfer of venue should inform the parties of its considerations and allow the parties an opportunity to be heard on the matter. *Moore v. Rohm & Haas Co.*, 446 F.3d 643, 647 (6th Cir.2006).

After consulting with the parties counsel, the Court believes that venue is proper in the Western District of Michigan. The events that give rise to this case transpired in the Western District of Michigan, and the parties and witnesses are located there.

Accordingly, this matter is transferred to the Western District of Michigan pursuant to § 1406.

IT IS ORDERED.

s/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: March 26, 2015

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on March 26, 2015.

s/Linda Vertriest

Deputy Clerk